

**Local Agency Formation Commission
Of Modoc County
Regular Meeting**

Minutes of April 15, 2014

1. Call to Order:

Chairman Dederick called the meeting to order at 5:00 pm, in the City Council Chambers, Alturas City Hall. Commissioners Allan, Alves, Irvin, and Dederick were present. Commissioner Alternate Shea is also present.

Staff Present: John Benoit, Executive Officer and Stephanie Wellemeyer, Clerk.

Pledge of Allegiance

2. Approval of Agenda

Commissioner Allan made the motion to approve the agenda as submitted; seconded by Commissioner Alves. In favor: Unanimous

3. Approval of Minutes

Commissioner Shea made the motion to approve the minutes as amended; seconded by Commissioner Irving. In favor: Unanimous

4. Correspondence

One is a flyer for an Executive Officer position in Sonoma County, and a leadership training to the Special Districts Association. It is something that might be of use to the Special Districts in the county, so they are aware of the finances and administration of their districts. He'll see if he can help disburse information to the districts here to a training in Plumas County which is much more affordable.

5. Public Comment: None.

6. Selection of the Public Member and Public Member alternate

- a. Receive and discuss Executive Officer's report and City and County members to consider selection of a Public Member to fill a four-year term ending in May 2018 and as necessary appoint a Public Member alternate for a four-year term ending in May 2018.*

Executive Officer Benoit received two applicants for the public member position. One was Jerry Shea who is the current alternate and Clinton Davis from Adin also applied. Both are very qualified to do this. If Jerry moves to the public member than Clinton would go to the alternate position if that is what the Commission chooses to do which is common practice in LAFCo.

Commissioner Allan made the motion to appoint Jerry Shea to permanent Public Member and

Clinton Davis to Public Member alternate; seconded by Commissioner Irvin. In favor: Commissioners Allan, Alves, Irvin and Dederick. Abstain: Commissioner Shea. Motion carries.

7. 2014-2015 Proposed LAFCo Budget

- a. Receive Executive Officer's report, conduct public hearing and consider resolution 2014-0001 adopting a proposed budget for 2014-2015.*

Chairman Dederick opens the public hearing at 5:16 p.m.

Executive Officer Benoit explained all of the items we anticipate receiving next year. Under attachment A there is a spreadsheet. When he first started there were no MSRs completed, and that spreadsheet shows the MSRS that have been completed and what still needs to be completed. We have progressively be moving along but in the future we may want to look at some district consolidations which can be difficult to do. However, with those that don't have very much money it may be the appropriate thing to do. We need to finish up with the MSRs before we move toward that.

Commissioner Allan states if we did do a consolidation in Surprise Valley, like for example Lake City and Fort Bidwell, would they keep the same fire halls. Executive Officer Benoit would hope they would and that they would participate in working on this issue. Commissioner Allan feels that makes sense but the residents won't be happy with this. Executive Officer Benoit says in his experience he thinks rather than LAFCo initiating consolidation the districts would work on this themselves and form a JPA to see if they can work together first.

Commissioner Shea thinks that they could do precincts like large cities do with their fire departments.

Commissioner Dederick states we are here to serve the public and we want to help them do these things, not tell them what to do.

Commissioner Shea asks if the Light Districts can be done under one MSR since they are all under the governance of the Board of Supervisors. Yes, that is exactly what we will do. Executive Officer Benoit goes over the budget, pointing out Commissioner Stipends, Liability Insurance, Office Expenses, Professional Services, Publications, Travel, and MSR/SOI updates which he budgeted the same as last year. He did budget a small increase to Memberships from \$758 to \$769. There is also an increase to the City and County share by about \$6 more.

Commissioner Dederick clarifies that the budget is going up \$12 this year. Yes.

Proponents: None. Opponents: None.

Chairman Dederick closes the public hearing at 5:31 p.m.

Commissioner Allan made the motion to adopt Resolution 2014-0001 which approves the proposed budget for 2014-2015; seconded by Commissioner Irvin. In favor: Unanimous.

8. Municipal Service Review and Sphere of Influence Update for the South Fork Irrigation District.

- a. Review Service Review Report, Conduct Public Hearing and Consider Resolution 2014-0002 adopting a Municipal Service Review for services provided by the South Fork Irrigation District.*
- b. Review Sphere of Influence Report, Conduct Public Hearing and Consider Resolution 2014-0003 adopting a Sphere of Influence for the South Fork Irrigation District.*

Chairman Dederick opens the public hearing at 5:32 p.m.

Executive Officer Benoit reports that the Commission is required to do Service Reviews for all of the districts within the County. They ask for a bunch of information including audit reports and prepare findings for the districts. The findings include growth and population change, disadvantaged unincorporated communities which is not an issue at this time, capacity and Infrastructure, financial ability, opportunities for shared facilities, and government structure and accountability. Under the Sphere of Influence they discuss land use in the area and municipal services. This type of district is not as complex as others.

Ken McGarva, South Fork Irrigation District Director, has had a chance to review it but asks about changes to the district membership. Executive Officer Benoit reports they only need to be notified of district boundaries. What about directors? Those are appointed by the Board of Supervisors. Mr. McGarva states they have a problem since they have a district that hasn't had a director in quite some time because of absentee land owners in that district. Executive Officer Benoit suggests they do what Hot Springs did and become a Water District. Mr. McGarva states they have tried to work with a few different attorneys to get this straightened out but haven't gotten that accomplished yet. Executive Officer Benoit states he can recommend a few people that can help out with water issues.

Commissioner Shea asks if they have independent bylaw and if they can change those to overcome the requirement of district areas. Mr. McGarva states they had worked on that but they had to fall under certain restrictions.

Chairman Dederick closes the hearing at 5:49 p.m.

Commissioner Irvin made the motion to adopt Resolution 2014-0002 which approves the Municipal Service Review and Resolution 2014-0003 which approves the Sphere of Influence for the South Fork Irrigation District; seconded by Commissioner Shea. In favor: Unanimous.

9. Ratify Claims for February 2014 and Authorize Payment of Claims for March 2014.

- a. Approve payment of expenses for February 2014 and March 2014*

Commissioner Shea made the motion to approve payment of expenses for February 2014 and March 2014; seconded by Commissioner Allan. In favor: Unanimous.

10. Adopt Minute Order appointing P. Scott Browne as Modoc LAFCo Counsel per Gov. Code Section 56384 (b).

- a. Adopt minute order appointing P. Scott Browne as Modoc LAFCo Counsel per Gov. Code Section 56384 (b).*

Commissioner Shea made the motion to adopt minute order appointing P. Scott Browne as Modoc LAFCo Counsel per Gov. Code Section 56384 (b); seconded by Commissioner Irvin. In favor: Unanimous.

11. Consider amendment to LAFCo's adopted Bylaws changing LAFCo Regular meeting times and take possible action thereon.

- a. As determined by the Commission consider amendment to Bylaws changing regular meeting time of the Commission.*

Executive Officer Benoit reports we have always met on the second Tuesday of the month and occasionally move it. He would suggest moving the meetings to 4 p.m. and just keep in mind that if a Board meeting carries longer we may have to wait.

Commissioner Alves thinks if the Board Chair and Vice-Chair are aware of this then we might be able to make this work and get the meetings completed in time.

Commissioner Shea questions whether it would be harder for the public to attend any public hearings. Commissioner Alves has found that if it is important enough than people will attend no matter what time.

Commissioner Alves made the motion to approve amending LAFCo's Bylaws and change the Regular meeting times to 4 p.m.; seconded by Commissioner Allan. In favor: Unanimous.

12. Executive Officer's Monthly Report

*Agreement between Likely and Madeline Fire Depts.
Resource Conservation Districts Service Review
City of Alturas Annexation Request*

Executive Officer Benoit reports that Commissioner Alves is taking care of the Fire department agreement. The RCD Service Review has been drafted, and the annexation is moving along. He forgot about a certificate of appreciation for Marie Neer but he will add that to the next agenda. He just needs to gather some information on her to add to the document.

13. Commissioner Reports – Discussion

Commissioner Dederick states the annexation was moved through and LAFCo notified the Assessor's Office and the figures we received from the Auditor's Office were incorrect, but that is being worked on and when we get it completed we need to put together a committee and work on negotiations. Clerk Wellemeyer reports she sent the corrected amounts and the Assessor's Office should be sending an updated email to both the Auditor's Office and Executive Officer Benoit. Then we should get an updated list from the Auditor's Office so we can move forward. There being no further business to come before this Commission; Chairman Dederick adjourns the meeting.

Meeting adjourned at 5:57 p.m.